

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO. 5:21-cr-75-JA-PRL

ELIAS CHIROY-CAC

ORDER

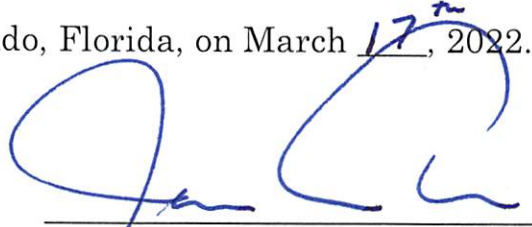
This case is before the Court on Defendant Elias Chiroy-Cac's Motion to Dismiss (Doc. 25). The assigned United States Magistrate Judge has submitted a Report (Doc. 63) recommending that Chiroy-Cac's Motion be denied. Because Chiroy-Cac admitted that an evidentiary hearing would not be needed if the Court allowed him to supplement his Motion to Dismiss with additional exhibits, the Report also recommends that the Court grant Chiroy-Cac's Motion to Supplement (Doc. 52) and deny as moot his Motion for Evidentiary Hearing (Doc. 27). Chiroy-Cac filed an Objection (Doc. 64) to the Report, and the Government filed a Response (Doc. 69) to that Objection.

After reviewing the record in this matter, including Chiroy-Cac's Objection and the Government's Response, the Court agrees with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. 63) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Motion to Supplement (Doc. 52) is **GRANTED**.
3. The Motion for Evidentiary Hearing (Doc. 27) is **DENIED as moot**.
4. The Motion to Dismiss (Doc. 25) is **DENIED**.

DONE and **ORDERED** in Orlando, Florida, on March 17th, 2022.



JOHN ANTOON II
United States District Judge

Copies furnished to:
United States Marshal
United States Attorney
United States Probation Office
United States Pretrial Services Office
Counsel for Defendant
Elias Chiroy-Cac